



**Scotland's Census**

Shaping our future

A' dealbhadh ar n-àm ri teachd

**Scotland's Census 2022**  
**Children's Rights and Wellbeing**  
**Impact Assessment**  
**v5.0**

**December 2021**

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## CRWIA Stage 1 – Screening

This screening process relates to the Scotland's Census 2022 programme.

### 1. Executive Summary

Scotland's Census 2022 is the official count of every person and household in Scotland. It is a unique survey in that it affects the whole of Scotland's population and there is a legal requirement to participate. This Children's Rights and Wellbeing Impact Assessment (CRWIA) presents evidence on the potential impacts of the plans for Scotland's Census 2022.

Scotland is a diverse nation and stakeholders representing a range of interests have been fundamental to shaping Scotland's Census 2022. In preparing this EQIA we have gathered evidence from a wide range of sources and reflected on our own and others' experience of previous censuses. In 2019 NRS held a series of stakeholder feedback sessions and conducted an online stakeholder survey to obtain feedback on the draft assessments. A report on the outcome of this period of consultation is published on the [Scotland's Census website](#).

The impact assessments for Scotland's Census 2022 make use of the data produced by the Scottish Household Survey. The 2020 survey results have been delayed due to the impact of the Covid-19 pandemic and as such this assessment makes references to the 2019 survey results.

This document is one of eight impact assessments prepared for Scotland's Census 2022. Others include:

- Human Rights Impact Assessment
- Equality Impact Assessment
- Data Protection Impact Assessment
- Island Communities Impact Assessment
- Fairer Scotland Duty Impact Assessment
- Strategic Environmental Assessment
- Business Regulatory Impact Assessment.

Assessing the impact of Scotland's Census 2022 is an ongoing process, which will continue up to Census Day on 20th March 2022 and beyond.

### 2. Background

#### What is the census?

The census is the official count of every person and household in Scotland. It is usually held every 10 years and provides the most complete statistical picture of the nation available. It also provides information that central and local governments need, in order to develop policies and to plan, fund and run public services.

Scotland's Census is taken by the [National Records of Scotland](#) on behalf of the Registrar General for Scotland. The National Records of Scotland (NRS) is a non-ministerial department of the Scottish Administration, established on 1 April 2011,

following the merger of the General Register Office for Scotland (GROS) and the National Archives of Scotland (NAS).

The main purpose of NRS is to collect, preserve and produce information about Scotland's people and history and make it available to inform current and future generations. It holds records of the census of the population of Scotland from 1841 and every 10 years after that. The one exception to date was the wartime year of 1941 when no census was taken. Census records are closed for 100 years under the Freedom of Information (Scotland) Act 2002.

### **Scotland's Census moved to 2022**

On 17 July 2020 the Scottish Government announced the decision to move Scotland's Census to 2022 following the impact of the COVID-19 pandemic.

The census collection is a huge logistical operation involving the recruitment and deployment of thousands of staff, including a large field force team who engage with the public on their doorstep. The 12 months leading up to a census are vital in planning and testing the effectiveness and safety and security of census systems and collection processes to ensure these are ready. COVID-19 restrictions during 2020 prevented these key activities from progressing. These impacts occurred in a number of areas, from progressing recruitment to being able to undertake comprehensive testing, from contacting care homes and hospitals to establish their requirements for questionnaires to engaging with third sector and community groups to encourage participation from everyone in Scotland.

The priority and responsibility of NRS is to put in place a census that enables everyone across Scotland to participate, so that information collected can be used to produce high quality outputs and deliver the benefits required by the people of Scotland. We had been monitoring the impacts of COVID-19 on the delivery of the 2021 census and explored a number of [options](#) to preserve this census date. The conclusion by NRS was that the only option in which there was confidence around securing the high response rate required was to move the census to 2022. Following the recommendation, Scottish Ministers decided to move Scotland's Census to March 2022 to ensure that a full and successful census is undertaken.

The census in March 2022 will follow the same model and question set as planned for March 2021. We will work closely with our stakeholders and partners to ensure that appropriate data is available to support work that was expecting to make use of census 2021 data. We will also continue to work closely with our colleagues in the Office for National Statistics (ONS) and Northern Ireland Statistics and Research Agency (NISRA) to ensure the needs of data users in Scotland and across the rest of the UK will be met.

### **Census legislation**

The Census Act 1920 ("the 1920 Act") provides for a census to be taken not less than five years after the previous census. The 1920 Act applies to England, Wales and Scotland. In Scotland it is the duty of the Registrar General to undertake the census, in accordance with the 1920 Act and any Order in Council or regulations made in terms of the 1920 Act, under the direction of Scottish Ministers.

Section 1 of the 1920 Act provides the enabling power which underpins the taking of the census. It allows the making of an Order in Council ("the [Census Order](#)") which directs that the census be taken; the date on which it is to be taken; the persons by, and in respect of whom, returns are to be made; and the particulars which are to be stated in the returns. The questionnaire (or questionnaires) used in the census are prescribed in regulations ("the [Census Regulations](#)") under section 3 of the 1920 Act. This is where the census questions, as they will be seen by individuals completing the questionnaires, are legally set out. The questions must, of course, solicit the particulars set out in the Census Order.

All of the legislation required for a census in 2022 is now in force.

### Non-compliance

There is a legal requirement to complete the census. Those householders who do not make a census return may be prosecuted and could receive a criminal record and / or fine. It is also a criminal offence for a person to refuse to answer a census question, or give a false answer. The only exceptions to this are the voluntary questions on religion, sexual orientation and on trans status or history, as enabled by the [Census \(Amendment\) \(Scotland\) Act 2000](#) and [Census \(Amendment\) \(Scotland\) Act 2019](#) respectively. Together, both Acts specifically exclude penalising non-response to these questions.

### **Why have a census?**

For over 200 years, Scotland has relied on the census to underpin local and national decision making. Around 200 countries worldwide now undertake a regular census under the [UN census programme](#). The census is the only survey to ask everyone in Scotland the same questions at the same time. It is unique in the provision of comprehensive population statistics. It is used by central and local governments, health boards, the education sector, the private sector, and the voluntary sector to plan and distribute resources that match people's needs. The information collected must be "authoritative, accurate and comparable" for all parts of Scotland, and down to very small levels of geography. Only the census can consistently provide such information.

Basic information on population size, age, sex and location are crucial to work on pensions, migration, economic growth and labour supply. Other information gathered helps governments to:

- identify housing demand and create housing supply including information on household size and family make-up which are crucial to policies on local housing demand and planning, and poor housing and overcrowding
- identify areas of deprivation, enabling them to target services
- gather data on equality groups, enabling them to tackle discrimination
- gather information on housing.

Census information is also used for a range of social and economic indicators:

- population estimates
- employment and unemployment rates
- birth, death, mortality, and fertility rates
- equalities data, such as age, sex, ethnicity, religion/belief and disability.

Census data are also used by local public services to meet local needs in health, education, transport, planning, and community care services.

NRS calculated the cost to health board funding allocations if the census was not carried out in 2011. If census figures from 2001 had been used to make population estimates and allocate funding to health boards, in 2014/15 there would have been misallocations of between £30m and £40m. Some health boards would have received more, some less, than their appropriate share.<sup>1</sup>

Following the 2011 census, NRS, in conjunction with the other UK census offices, explored alternative ways to produce population statistics. NRS identified potential options and examined and compared various approaches to counting the population, both here and overseas, engaged with a diverse group of users, commentators and public bodies, and undertook qualitative and quantitative research into attitudes to the census and population statistics. More information on the work which was done can be found in the [Beyond 2011](#) section of the NRS website.

Having considered all the [evidence](#), in March 2014, NRS recommended that a modernised 'traditional' census was the best way to meet users' needs. Specifically, NRS announced its intention to focus on planning for a census in 2021, which would be primarily online, while offering alternative modes of completion where necessary, and also aiming to make best use of technology and administrative data in its design, building on the online approach used successfully in the 2011 census.

The main objectives of Scotland's Census 2022 are to:

- produce high-quality results;
- generate outputs that meet the needs of our users;
- maximise online response rates for the census;
- produce timely outputs to maximise benefits;
- protect, and be seen to protect, confidential information;
- do so in a cost effective way; and
- make recommendations for the approach to future censuses in Scotland.

The census is for, and about, everyone in Scotland. In conducting it, an objective is to gather as wide a dataset as possible. It is recognised that people in Scotland have a wide range of needs therefore our designs have to take account of these diverse needs, and these needs may be influenced by them having one or more of the protected characteristics as defined in the Equality Act 2010. NRS is therefore trying to make sure that firstly people are able to access the census in order to fulfil their legal obligation to participate and secondly to enable their access to the anonymised statistical outputs derived from the data collected from them, which in turn enable them to reap the benefits realised.

### **Learning from census rehearsal**

As part of our preparations for Scotland's Census 2022, NRS undertook a public rehearsal in parts of Scotland. The rehearsal took place during October and

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<sup>1</sup>[Scotland's Census 2011 General Report](#)

November 2019. People living in households in parts of Glasgow City, and Dumfries and Galloway, and Na h-Eileanan Siar were asked to help by taking part, and received a letter in early October with more information about the rehearsal and how to participate.

Unlike the census itself, participation in the rehearsal was not a legal requirement. Householders in these areas were asked to take part on a purely voluntary basis to help ensure things go smoothly for the main census in 2022. Field force and communal establishment enumeration operations were not included in the rehearsal activities and a temporary contact centre was created internally within NRS for the purpose of supporting the rehearsal..

The rehearsal also provided reassurance that our chosen approaches in many respects worked well. For example, initial contact materials and reminder letters were effective in encouraging returns, elements of our local engagement and marketing strategy tested strongly, and the overall design and functionality of the online and paper questionnaires allowed the public to complete returns and deliver usable data for our systems.

The rehearsal did importantly identify some new areas of improvement for NRS to take forward. These included the need to:

- make improvements to how we collect address information;
- make improvements to some online question routing;
- review the timing and tailoring of reminder letters; and
- improve the provision of management information.

The rehearsal evaluation report can be found [on the Scotland's Census website](#).

### **Barriers to participation**

The numerous uses made of census data outlined above represent a key benefit and the positive impact of the census. However it is recognised that there are a number of barriers and challenges, which can potentially limit or hinder participation in the census. These include lack of awareness, lack of understanding, privacy concerns, language, mistrust in/lack of engagement with officialdom, impairments such as physical or learning disabilities, and known limitations around the 'reachability' of communities and groups. Some relate specifically to digital participation, such as digital access or connectivity issues, lack of digital skills or confidence, data security concerns and mistrust of digital systems. User research and testing from 2018, 2019 and 2021 has helped us understand the user experience of people who may face barriers to completing the census.

Significant market research was also undertaken in 2021, focussing on attitudes and knowledge towards the census and potential barriers to completion. More information is provided in the communications and engagement section below.

### **Digital participation**

The public sector in Scotland is committed to respond to the changing expectations of customers by realising the opportunities that technology provides and delivering an increasing proportion of services online. Part of the Scottish Government's Digital



Strategy is to increase digital participation in order to enable social mobility and tackle persistent inequalities. The online delivery of public services will also provide services which are easier, quicker and more convenient for people to use, and at a lower cost than other methods allow. The [UK Government's Digital Efficiency Report](#) suggests that transactions online are 20 times cheaper than by phone, 30 times cheaper than by post and as much as 50 times cheaper than face-to-face.

In general terms Scotland can be considered a digital nation. The [2019 Scottish Household Survey \(SHS\)](#) reports that home internet access has increased steadily over time, reaching an all-time high of 88 per cent of households in 2019. Previously, other sources have shown that 40 per cent of people are reported to have a tablet computer (SCVO, 2015) and 63 per cent use a smartphone (Ofcom, 2015a).

While this information is a useful indicator of internet availability it is not necessarily indicative of potential response to a requirement to use the internet for a specific task such as completing a census form. A report published by the Carnegie UK Trust (Carnegie UK, 2014) highlights this fact noting that the barriers to getting online are multiple, varied and complex. They state that "being digitally connected is not the same as being digitally included". The same point was also made in a report outlining research looking at links between digital and social disengagement (Helsper, 2008) which notes "simply providing access to these platforms is not enough – digital disengagement is a complex compound problem involving cultural, social and attitudinal factors and in some cases informed 'digital choice'".

It is important therefore to have a full understanding of all factors influencing internet use before any assessment of potential digital participation can be made.

Everybody has their own individual set of circumstances and their own reasons for not being online. There are four main kinds of challenge people face: -

- access (accessibility, location, cost, technology, infrastructure, language)
- skills (literacy, digital, security, confidence)
- motivation (risks, necessity, financial benefits, social benefits, health and wellbeing benefits)
- trust (identity, security, standards, reputation).

The first two, a lack of access or skills result in 'Digital Exclusion' while the latter two, lack of motivation or trust may be best grouped with those situations where individuals have access and make use of the internet but will choose not to complete an online census as 'digital choice'.

Both digital exclusion and digital choice could have a significant impact on online response rates. Therefore, it is important that a focus for Scotland's Census 2022 is on promoting online participation and not just tackling digital exclusion.

We are also keenly aware of the demographics and infrastructural aspects of the digital connectivity landscape in Scotland. Households with higher income are more likely to have internet access. Households with lower incomes and households in Scotland's most deprived areas were less likely to have home internet access than higher income households and those in less deprived areas, but the gap has narrowed in recent years. Internet access varies by tenure. 79 per cent of those in



social rented housing had internet access compared with 91 per cent of households who owned their home.<sup>2</sup>

The option of submitting census questionnaires online was introduced for the first time in 2011 to those living in households; those living in communal establishments were only able to complete on paper. Around 20% of all returns were submitted online. The 2022 census is being designed under the principle of 'Digital First' with a target online completion ratio of at least 70%.

Online services will be promoted through a number of different routes, such as community engagement activity, publicity initiatives, websites, contact materials and information leaflets. To reflect the steep rise in the use of social media in recent years, there will be a much greater emphasis on the use of social media as part of the programme's marketing and publicity activity, to satisfy increased customer demand and expectation.

The move to a primarily online census, including a change in enumeration strategy (e.g. post out of contact materials instead of enumerator hand delivery), will reduce the direct contact between householders and field staff. Public assistance channels and services together with publicity and marketing will have a critical role in compensating for this and encouraging and enabling maximum response.

We are monitoring broadband roll-out initiatives overseen by the Scottish Government and Highlands and Islands Enterprise which have set ambitious targets for broadband coverage across Scotland. We will continue to track progress against such initiatives to develop and maintain knowledge of those localities where digital access presents the biggest challenge, so we can best channel our support and assistance efforts.

### **3. Delivering Scotland's Census 2022**

#### **Communications and engagement**

A detailed integrated communications and engagement strategy has been developed focussing on those groups most at risk of non-participation, identified by market research.

Initial market research was conducted over four phases to understand more about public knowledge about the census, what their motivations would be to help them complete the census and what messages resonate best to help promote the census. We then conducted and completed further public research in November 2020 to assess the impact of the coronavirus pandemic on public perception and knowledge of the census.

Eight key groups have been identified as potentially being less likely or able to complete the census. While we aim to reach all of Scotland through our marketing and advertising campaigns, messaging will be tailored to these key audiences using a range of platforms, including social media, PR, marketing and community and stakeholder engagement.

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<sup>2</sup> [Scottish Household Survey 2019: Annual Report](#)

All communications and engagement material will be aligned to contact activity with the public.

### Marketing and PR campaign

A three-phased approach has been developed aiming to reach all of Scotland, covering awareness, persuasion and action. Media will be targeted for each of the marginalised audiences, particularly in the persuasion and action phases. This will include television, radio, out of home posters and digital ads.

The creative concepts have gone through two rounds of public testing with our key audiences both in group sessions and in one to one in-depth sessions.

The marketing activity will be supported by the PR campaign which will also incorporate the three phases and again focus on those hard to reach groups. This activity will include media relations and social media.

### Stakeholder and community engagement:

NRS is engaging with key stakeholders, including Scottish Government, local authorities and key organisations and partners across the Third Sector, to ensure messaging about the census and its value reaches those at most risk of non-participation. This engagement will be supported by a 'field and partnerships' campaign to develop in-depth partnerships with stakeholders with reach to our key groups.

### Online Collection Instrument:

The Scotland's Census 2022 Online Collection Instrument will be made-up of three public-facing systems: the online questionnaire, a website and a request system for ordering products. The website will provide access to the online questionnaire and will feature a wide range of help and guidance, including accessible videos and access to web-chat.

To inform the design and iterative development of the online experience, we have performed the following User Research/User Testing:

- Accessibility Testing with Users (Dec 2018 – March 2019)
- Audience Discovery Research (Dec 2018 – March 2019)
- Information Needs User Research (Dec 2018 – March 2019)
- Tree-Testing – (June 2021 – August 2021)
- Usability testing (June 2021 – Sept 2021)

Other activities that have been performed to support the usability and accessibility of the online experience include:

- OCI Accessibility Audit (3<sup>rd</sup> Party) – March 2020
- Content review (3<sup>rd</sup> Party) – May 2020

A further accessibility audit will be conducted on the online system in November 2021. This will identify any further refinements needed to ensure the online experience is as accessible as possible.

### **Scotland's Census website**

In preparation for Scotland's Census 2022, we have developed a new website to host census results and supporting information.

The website was developed using the [Digital First Service Standard](#), a core part of the Scottish Government assurance framework. This is a set of 22 criteria that aims to make sure that services across Scotland are continually improving, and that services are being designed with users. NRS successfully completed an assessment against this criteria before the website was launched in May 2021.

Throughout the development of the website we completed a number of user testing sessions. This included users with a variety of education levels, occupations, digital skills, locations, ages and levels of awareness of NRS and census. These sessions ensured that the service was useable and accessible for users of census data.

An example of some of the user-centred features we included are:

- **Dark mode**

During usability and accessibility testing, users suggested that they found it much easier to consume information using dark mode on their devices, but that not all websites were compatible. In particular, users with dyslexia said they preferred the inverted colours of dark mode and found it easier to focus on longer paragraphs of text on a dark background. As a result of this testing we added this option to the website ahead of launch.

- **Gaelic content**

Outputs from the 2022 census will be accessed through the new website. We identified a user need for Gaelic content on the website, we have discussed this with stakeholders and the feedback received will inform how we present this for Gaelic users. We will continue to develop the website this year as we work towards the census in 2022. During this time we will identify content to be presented in Gaelic on the website. The most significant part of this work will be when we create new content in 2023 as the new census data are added.

- **British Sign Language**

Similar to the plan for use of Gaelic on the website we are engaging with stakeholders to plan how we use BSL with the Scotland's Census website.

Following feedback from stakeholders, we have identified some potential development work to the website that will help us integrate BSL content. We are planning to carry out this development work ahead of outputs being published in 2023.

Alongside the website we are developing a plan to provide assisted digital support to users who require assistance accessing the census results offline.

The period between launch of the website (May 2021) and new data being released is being used to iterate and continuously improve the offline support provided by NRS.

## Public assistance

### A Digital First census

In-line with the Scottish Government's "[Programme for Government 2021-2022: A Fairer-Greener Scotland](#)" – Scotland's Census 2022 seeks to support a digitally inclusive and connected Scotland.

*“Over the past 18 months, the Coronavirus pandemic has changed our way of life fundamentally. Many of us have worked successfully from home and we have come to rely on home shopping, online education and new and creative ways of using digital technology to keep in touch with family and friends.*

*But, it has also demonstrated the problems that come from digital exclusion. It has reminded us that whilst technology can transform lives for the better, it is essential we ensure no-one is left behind.”*

**Source: Page 78, Programme for Government 2021-2022: A Fairer-Greener Scotland**

Scotland's Census 2022 is intended to be a predominantly Digital First census, with paper questionnaires only being made available on-request. We have been working with our digital delivery partner(s) to assure that the online census questionnaire is a modern, usable and accessible digital platform that meets citizen expectations of a government service.

The same standards of usability and accessibility have also been used when developing the [www.scotlandscensus.gov.uk](http://www.scotlandscensus.gov.uk) (Outputs) website.

Both digital platforms have been tested to work on different browsers and devices, and have met the criteria of the [Digital First Service Standard](#).

Provisions have also been made to offer alternative options for census completion for those who choose not to complete online, or who cannot complete online.

### Digital exclusion

Despite the pandemic resulting in an increase in digital participation and adoption - it is considered that digital exclusion may still apply to:

- older generations and those who have poor digital access or IT connectivity issues,
- those that may lack the digital skills or confidence to complete an online form; or,
- those who simply do not have a device or have data security concerns about submitting a census form.

We continue to work with public sector organisations across Scotland to understand what else can be done to support these audiences who are digitally excluded.

### Other barriers to participation

In addition to digital exclusion there are a number of other barriers and challenges that may limit or hinder individual participation in a digital census. This includes lack of understanding, language difficulties, public mistrust or lack of interest and engagement with officialdom, visual impairments, physical or learning disabilities and/or other known barriers around 'reachability' of communities and marginalised audiences.

Under the banner of "Public Assistance" the census programme has developed a number of Help and Support strategies for these audiences.

### Public assistance delivery model

On account of the coronavirus pandemic, the programme has had to adapt its original Public Assistance Delivery Model and Plans.

Originally there had been the intent to create a national network of support hubs via libraries and using the physical estate of other public sector organisations, but it has been considered that this may not offer Value for Money (VfM) at this time when COVID-19 restrictions may be reintroduced preventing the effective promotion and participation at these support hubs.

Based on the lessons-learnt of what has "worked-well" from ONS and NISRA around their Census 2021 experience we are investing in our:

- Language and Accessibility support products; we are,
- Increasing the capacity of our contact centre operation; and we are,
- Leveraging our stakeholder networks and community engagement activity.

Support	Description
Central services and support	Centrally, we will offer 2 primary routes for accessing Public Assistance <ul style="list-style-type: none"> <li>• Online at <a href="http://www.census.gov.scot">www.census.gov.scot</a> and via the,</li> <li>• Free Helpline on 0800 030 8308</li> </ul>
Decentralised services and support	Our Field Force and Enumeration teams will provide a decentralised Public Assistance offer (i.e. support and encouragement to complete your census with sign-posting to other help and support available).
Language and Accessibility Support Products	We will offer help and support in different languages and accessible formats.
Translated Guidance	Translated questionnaire guidance will be available in 16 languages to download from the website at <a href="http://www.census.gov.scot/languages">www.census.gov.scot/languages</a> . These translations are intended to help users complete the paper questionnaire in English.

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	<p>In addition to accessing the translated questionnaire guidance online, users can contact the free Helpline number on 0800 030 8308 if they would like a printed version posted to their home.</p> <p>They will also be able to request a paper copy of the English language questionnaire if they do not already have one.</p>
Language Support Line	<p>Support will be available in most languages over the phone, and a dedicated language helpline (0800 030 8333) has been set up to provide language support and translation services.</p> <p>This service will be promoted via the Household Information Leaflet to all Households.</p>
Gaelic (Ghàidhlig)	<p>Individuals will be able to complete their census online by switching to Gaelic before they start to complete. This functionality will offer translations of the census questions and question help.</p> <p>Key parts of the website will also be translated in Gaelic, and the following products will be available to download:</p> <ul style="list-style-type: none"> <li>• A 'Gaelic Guidance Booklet' (PDF)</li> <li>• A Gaelic translation of the Contact Letter (PDF)</li> </ul>
Accessibility Products	<p>Individuals will be able access help in British Sign Language, Easy Read, braille, audio and large print – to help complete their census.</p>
British Sign Language (BSL) support	<p>The online questionnaire has BSL translations for each question to help BSL users to complete the census, and the website also contains BSL translations for all primary pages.</p> <p>A text relay service is also available on <b>18001 0800 030 8308</b> and BSL users can also contact us by using <b>contactSCOTLAND-BSL.org</b>, Scotland's national BSL interpreting video relay (IVR) service.</p>
Large Print	<p>If you have a visual impairment or struggle to read regular print, users will be able to order a large print version of the household questionnaire.</p> <p>This product will also include additional guidance for completing the questionnaire in large print.</p>
Braille	<p>Individuals will be able to order a translation of the household paper questionnaire in braille.</p>
Easy Read	<p>An Easy Read guide (PDF) can be downloaded from the website, or alternatively individuals can request that a printed version be sent to them via post.</p>

	The guide tells you about the census and how to complete it in 'plain English'
BSL, audio and subtitled question help on DVD or USB	<p>Individuals will also be able to request</p> <ul style="list-style-type: none"> <li>• British Sign Language translations of the paper questionnaire on USB or DVD</li> <li>• an audio CD of the paper questionnaire questions</li> </ul> <p>To order these products, you will need to let the contact centre know:</p> <ul style="list-style-type: none"> <li>• your name</li> <li>• address and postcode</li> <li>• how many you need</li> </ul>
Audio CD	Individuals will be able to order an audio CD version of the household paper questionnaire.

### Contact centre

Our Contact Centre will open on 28 February 2022. This will provide individuals with a free, dedicated Helpline that can be used for Help or Support when completing your census.

Our contact centre team will be trained to deal with common queries, print product requests and complaints.

The hours of operation will be:

- Monday to Friday: 8am to 8pm
- Saturday and Sunday: 9am to 4pm
- 19 and 20 March: 8am to 8pm

Calls are free-of-charge from UK landlines and mobile phones.

The Contact Centre will deal with queries via social media, e-mail, webchat and IVR. They will provide basic IT technical support helping users with their login difficulties and support users with the completion of telephone captured questionnaires via the online process.

The Contact Centre will also be able to request replacement Internet Access Codes to be issued to respondents. These codes will be sent by paper, text or email.

Contact Centre and field force staff will be able to provide assistance to support completion, as well as Telephone Data Capture (TDC). This includes assistance for those seeking to complete an individual questionnaire as part of a household. In addition, the census questionnaire can be completed on behalf of the householder by a family member/friend/carer.

### **Data collection**

Respondents will be able to complete the census questionnaire online, or can request a paper questionnaire for return by post. Enumeration processes include the use of a robust address list to ensure every household receives instructions on how



to make a census return. This is complemented by deployment of a field force who will seek to ensure every household and communal establishment is able to participate in the census. The Census Coverage Survey, which follows up a sample of the main operation, assesses the extent of coverage across the whole population.

### **Data processing and statistical outputs**

Statistical data processing, and the methodology underpinning it, will seek to ensure that all data captured by the census are processed appropriately and consistently to best meet the identified user needs, and are considered throughout the data lifecycle. Statistical Disclosure Control policies and processes protect individuals, particularly those who hold less prevalent protected characteristics, from being identifiable from census outputs.

## **4. Aspects which affect children and young people up to the age of 18**

The Children's Rights and Wellbeing Impact Assessment seeks to explore the benefits of the census, voluntary questions which could be considered sensitive and intrusive, privacy, education, age limitations and the legal obligations of householders and individuals.

The census is required to collect data on all people usually resident in Scotland and visitors at the time of the census, including all children up to the age of 18. These data are published in the form of aggregated anonymised statistical outputs which describe the number, characteristics and condition of Scotland's population, including all children up to the age of 18. Census data are widely used to inform vital decisions on planning and provision of essential local services such as nurseries, schools, hospitals, transport and sport/recreation.

Legal responsibility for completion of the census questionnaire falls to the householder. In the case of residents of communal establishments (e.g. care homes, boarding schools) responsibility falls to individuals aged 16 years and over, or the manager of the communal establishment for those under 16.

People aged 16 years and over can request and complete an individual census questionnaire. This applies even in cases where that individual has also been included on a household questionnaire, and can be without the knowledge of the householder.

The 2022 census will ask new questions on sexual orientation and trans status/history. These questions will be voluntary and will be asked of people aged 16 years and over. The question on religion is also voluntary. All other questions, where applicable to children up to the age of 18, are compulsory.

## **5. Likely direct or indirect impacts on children and young people**

Householders are legally responsible for the completion of a census questionnaire for their household and may be liable to penalty for non-compliance. Individual household members aged 16 years and over, and who are capable of doing so, will have the option of requesting, completing and returning an individual questionnaire – and in that case the individual will be responsible for ensuring this has been done. A householder is responsible for recording everyone living in the household on a

household questionnaire irrespective of whether an individual over 16 chooses to complete an individual response.

Young people aged 16 years and over who reside in communal establishments such as care homes, children's homes or boarding schools are responsible for completing an individual questionnaire, except in cases where they are deemed to be incapable of doing so.

People under 16 will not be required to answer certain questions. The trans status/history and sexual orientation questions are voluntary for everyone, but will be limited to those aged 16 and over. People under 16 will not be required to answer questions on qualifications or ex-service status and employment. Online respondents will be automatically routed to the relevant questions based on age. On the paper questionnaire, respondents will be instructed to only answer questions on trans status/history, sexual orientation, qualifications, ex-service and employment if they are aged 16 or over.

Every individual in a household who is aged 16 years and over can request an individual questionnaire. NRS are offering a range of ways to receive an Internet Access Code (IAC) for an individual form, including by e-mail and SMS. Therefore, if the individual has access to any form of private electronic communications they should be able to receive a questionnaire without the householder or any other household member being aware an individual questionnaire has been requested.

The legal responsibility for completion of Scotland's Census falls to the householder. In Scotland's Census 2011 it is estimated that less than 2,500 persons under the age of 18 identified as householders. If there is no householder or the householder is unable to make the return, the members of that household aged 16 years or over on census day have responsibility for making a return. If an individual over 16 elects to make an individual return, then they have a legal responsibility for making that return.

## **6. Groups of children and young people affected**

All children will be affected by the census to some extent. In the widest sense, the data outputs from the census have in the past been extensively used to inform vital decisions on planning and provision of essential local services, including nurseries, schools, hospitals, transport and sport/recreation.

In particular there are specific respondent implications for:

- Young people between the ages of 16 and 18
- Householders between the ages of 16 and 18
- LGBT children under 16
- Carers under 16
- Residents of communal establishments

## **7. The need for a Children's Rights and Wellbeing Impact Assessment**

The census impacts the lives of young people in Scotland and the CRWIA presents a valuable tool for assessing the nature of these impacts.

This assessment is one of a suite of Scotland's Census 2022 impact assessments exploring a wide range of programme aspects and anticipated impacts, including: Equality Impact Assessment, Human Rights Impact Assessment, Business Regulatory Impact Assessment, Fairer Scotland Duty Impact Assessment, Strategic Environmental Assessment, Data Protection Impact Assessment, and Island Communities Impact Assessment.

Scotland's Census 2022 programme has a long lifecycle and assessments will be refreshed and updated as it moves through its different phases and milestones.

A significant aspect of the 2022 Census is the inclusion of voluntary questions on sexual orientation and trans status/history. Policy decisions around age limits to be applied to answering those questions, the option of completing individual questionnaires, and to consideration of issues such as public acceptability, privacy and confidentiality, and freedom of expression are now enshrined in law in the shape of the Census Order and Regulations.

Additionally, there are a wide range of questions asked in the census which require respondents to confirm characteristics such as race or disability, and which lead to the publication of a rich set of anonymised statistics describing in detail the number and nature of all sectors of Scotland's population, including children and young people of 18 years and below.

<b>CRWIA Declaration</b>	
Tick relevant section, and complete the form.	
CRWIA required	CRWIA not required
X	
<b>Authorisation</b>	
Policy lead Name, title, division (or equivalent)	Date
David Sim Policy and Legislation Officer National Records of Scotland	30 July 2019
Deputy Director or equivalent Name, title, division (or equivalent)	Date
Amy Wilson (formerly) Director of Statistical Services National Records of Scotland	16 August 2019

## CRWIA Stage 2 – key questions

**1. Which UNCRC Articles are relevant to the policy/measure? List all relevant Articles of the UNCRC and Optional Protocols. All UNCRC rights are underpinned by the four general principles: non-discrimination; the best interests of the child; the right to life, survival and development; and the child's right to have their views given due weight.**

Those rights which are considered to be most relevant concern freedom of expression (Article 13 of the UNCRC), freedom of thought, conscience and religion (Article 14), and privacy (Article 16). The general principles most relevant are the best interests of the child and non-discrimination.

**2. What impact will the policy/measure will have on children's rights? Positive/negative/neutral.**

### Positive impact: Benefits of the census

In respect of children and young people, the census delivers a wide range of benefits by accurately informing resource allocation for vital public services like education and health.

The census is the only survey to ask everyone in Scotland the same questions at the same time. It is unique in the provision of comprehensive population statistics. It is used by central and local government, health boards, the education sector, the private sector, and the voluntary sector to plan and distribute resources that match people's needs. The information collected must be "authoritative, accurate and comparable" for all parts of Scotland, and down to very small levels of geography. Only the census can consistently provide such information.

Basic information on population size, age, sex and location are crucial to work on pensions, migration, economic growth and labour supply. Other information gathered helps governments to:

- identify local housing demand and create housing supply
- identify areas of deprivation, enabling them to target services
- gather data on equality groups, enabling them to tackle discrimination
- and gather information on housing, household size and family make-up to inform policies on local housing demand and planning.

Census information is also used for a range of social and economic indicators, including:

- population estimates
- employment and unemployment rates
- birth, death, mortality, and fertility rates
- equalities data, such as age, sex, ethnicity, religion/belief and disability.

Census data are also used by local public services to meet local needs in health, education, transport, planning, and community care services.

### Neutral (both positive and negative) impact: Voluntary questions

The census already collects information relevant to a number of the protected characteristics. It includes questions relevant to the protected characteristics of sex, age, disability, marriage and civil partnership, religion, and race. Scotland's Census 2022 will ask new questions about sexual orientation and trans status or history. In recognition of the sensitive and personal nature of these questions, these new questions will be asked on a voluntary basis, in the same way as the question on religion.

The question on religion was introduced in the 2001 census, and its inclusion was allowed on the basis that answering it was voluntary. Consultation with users has shown that public bodies use census information on religion to assist with monitoring discrimination, linked to the introduction of the public sector equality duty. The data have also been used to inform service provision for health, social care and education.

A voluntary question on religion, asked of all age groups, will be included in the 2022 Census. This balances lawful interference with the right to privacy under Article 16 of UNCRC and positively supports article 14 on the right to freedom of thought, conscience and religion.

The Census (Amendment) (Scotland) Act 2019 enabled Scotland's Census 2022 to ask voluntary questions on sexual orientation and trans status or history. These questions will be asked of people aged 16 years and over only. This decision was based on stakeholder feedback and public acceptability testing which is detailed further below.

There may be an impact on the ability of younger people to respond honestly to sensitive questions given the likelihood of living with parents or guardians. They are also more likely to have another adult responding on their behalf. For those young people who may want to respond for themselves, whether or not the householder has responded by proxy, there will be the facility to request and complete an individual form, and to answer honestly, in private, without other household members being aware. This option will be available to all individuals aged 16 years and over.

There is no available evidence to indicate how many young people will potentially take up this option and NRS has not tested the sexual orientation question and the trans question with those under 16. Engagement with stakeholders such as the Equality Network and LGBT Youth indicated young people may be more likely to need privacy in order to respond honestly.

While most census outputs take the form of statistical counts, it is important that individuals cannot be identified from census outputs. The census form gives respondents an assurance that their information will be treated as confidential, and statistical disclosure control methodologies are employed to ensure that the risk of inadvertent disclosure in statistical outputs is minimised.

NRS believes that offering young people aged 16 and over between the ages of 16 and 18, the opportunity to privately answer these questions will have a significant positive impact, with particular regard to the rights enshrined in Article 13 ('Right to freedom of expression'), by enabling some to identify in a way which may be of the

utmost importance to them. The position of making such questions voluntary supports Article 16 ('Right to privacy') of the UNCRC.

Census communications and guidance, which supports the census question set, will be carefully developed to ensure the right messaging is conveyed to relevant audiences, ensuring that respondent options are understood.

#### Neutral impact: Householders' legal obligations

The legal responsibility for completion of Scotland's Census falls to the householder. In Scotland's Census 2011 it is estimated that less than 2,500 persons under the age of 18 identified as householders. If there is no householder or the householder is unable to make the return, the members of that household aged 16 years or over on census day have responsibility for making a return. If an individual over 16 elects to make an individual return, then they have a legal responsibility for making that return.

#### Neutral (both positive and negative) impact: Age limitations: Communal establishments

Individual returns are limited to those aged 16 and over, as in the 2011 census. Individual returns from a household afford a different degree of privacy to individual returns made from a communal establishment. For those under 16 who live in a communal establishment, it is the responsibility of the communal establishment (CE) manager to make the return. No child under 16 will be able to make a return on their own behalf.

#### Neutral (both positive and negative impact): Age routing

For the questions that are asked of all individuals, the householder can complete the questions on their behalf. Young people under 16 years are only asked questions relevant to them (they are not required to complete labour market questions, for example).

The asking of some questions will be limited to certain age groups only. In 2022, we need to make sure that the census only collects the information that we need from the people of Scotland and we want to make sure that the questionnaire is easy to complete and takes as little time as possible. Testing has also shown that some questions are less acceptable when they are asked about people under the age of 16 years.<sup>3</sup> With this in mind there will be some age routing in the online questionnaire. This means for example that the person completing the form will not be asked how well a two year old can read English or where a 6 month old baby lived a year ago.

For the online questionnaire the response used to the date of birth question will be used to calculate a person's age so they will not need to respond to questions that are not relevant to them. On the paper questionnaire we will provide guidance about which questions should be answered by people of particular ages.

The following age-limitations will apply:

#### **Questions asked of people aged 16 or over:**

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<sup>3</sup>[Scotland's Census 2022 Sex and Gender Identity Topic Report](#)

- The new voluntary question on trans status or history
- The new voluntary question on sexual orientation
- The new question on ex-service status
- The question on legal marital and civil partnership status
- The qualifications held question
- The questions on employment and activity last week

**Questions asked of people aged 4 and over:**

- The question on whether you are a school child or full-time student
- The questions on travel to place of work or study

**Questions asked of people aged 3 and over:**

- All of the language questions
- The question on provision of unpaid care

**Questions asked of people aged 1 and over:**

- The question on address 1 year ago

All other individual questions will be asked of everyone usually resident in households or communal establishments.

Positive impact: Education

NRS has developed a 2022 census education programme for schools, building on the success of a similar initiative from census 2011. Children are recognised as valuable advocates for the census, discussing their work at home with their parents, prompting interest, raising awareness and encouraging participation. The programme is a form of community engagement designed to reach many harder-to-count audiences. This will be particularly relevant to those for whom English may not be their first language, and groups that may not be as engaged with Scotland-wide advertising, or publicity campaigns.

The census is already included in the curriculum for Geography, with citizenship, and the virtue of being a responsible citizen, one of the four key themes of the Curriculum for Excellence. The census relates to this in terms of the requirement to complete the census.

Neutral (both positive and negative) impact: Privacy

Privacy impacts of the census are discussed in detail in the Scotland's Census 2022 Data Protection Impact Assessment.

NRS recognises the potential negative impact of interference with Article 16 (the right to privacy) through placing legal obligations on individuals and householders to provide a range of personal information. Such interference is considered to have lawful basis because there is legal authority under the Census Act 1920, the Census (Scotland) Order 2020 and the Census (Scotland) Regulations 2020.

The lawful basis for collection and processing of personal census data is provided under Articles 6(1)(c) and (e) of the UK GDPR, Exemptions for processing special categories of personal data (sensitive personal data) are provided under Articles



9(2)(g) and (j), with additional safeguards and exemptions provided for under Article 89: -

*"Processing shall be lawful only if and to the extent that at least one of the following applies:*

*processing is necessary for compliance with a legal obligation to which the controller is subject; processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;*

*The prohibition of processing of personal data revealing racial or ethnic origin, ..., religious or philosophical beliefs, ..., data concerning health or data concerning a natural person's ... sexual orientation does not apply because processing is necessary for reasons of substantial public interest, on the basis of ... law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject."*

Guidance provided to support completion of the census questionnaires will include essential privacy information, detailing how the census affects respondent's rights, and setting out the necessary steps to take if they have concerns.

A wide range of supporting information and guidance will be provided to respondents via a number of channels to explain what the census is, why it matters, how to participate and how to get help.

The census rehearsal helped us to test the effectiveness of this provision and to help define how it will be delivered in 2022.

In contrast to Scotland's Census 2022, there was no legal obligation on households to participate in the 2019 census rehearsal, which did not fall within the provisions of the Census Act 1920. Section 170 of the Data Protection Act 2018 provided a safeguard against the unlawful disclosure of personal data collected in the rehearsal, with offenders liable to a fine.

The following mechanisms may provide a balance against any perceived negative impact through interference with the right to privacy for those aged 16 and over:

- the inclusion of voluntary questions, as for sensitive topics such as religion, sexual orientation and trans status or history; and
- the option to request and submit an individual questionnaire without knowledge of the householder.

**3. Will there be different impacts on different groups of children and young people? Which groups of children will be affected by the policy/measure? Are there competing interests between different groups of children and young people, or between children and young people and other groups?**

The issue of legal responsibility will impact some groups differently. Those who are householders will be responsible for completion on behalf of their household, whilst those residing in communal establishments will be responsible for completing an individual questionnaire if they are capable of doing so. These responsibilities will

incur the threat of penalty for non-compliance. Those aged 16 years and over and living in a household who request an individual census questionnaire are under a legal obligation to complete and return it.

People aged 16 years and over may welcome the new opportunity to declare their sexual orientation or trans status or history, but this may also carry privacy concerns around risks of data disclosure, or around honesty in provision of accurate information to householders.

People aged under 16 years will not have the opportunity to express their sexual orientation or trans status or history in this way and this could represent a negative impact on the right to freedom of expression when compared to those over 16.

Further information on stakeholder engagement and public acceptability testing of these voluntary questions can be found below.

Some concerns have been expressed during the question development process about confidentiality in relation to sensitive questions, particularly for young people who may feel unable to answer if they live with a parent or guardian. Missing this group would be an issue as young people have specific service needs. As outlined previously, to provide complete privacy and confidentiality for any person responding to the 2022 census, the facility to request and receive an individual questionnaire for completion in confidence will be available to all people aged 16 years and over who are capable of completing a return. Any such individual will be able to complete an individual form without other members of the household being aware.

**4. If a negative impact is assessed for any area of rights or any group of children and young people, what options have you considered to modify the proposal, or mitigate the impact? If options to modify the policy/measure are included here, include associated resource implications where relevant.**

In Scotland's Census 2022, voluntary questions on sexual orientation and trans status or history will not be asked of people under 16 years of age. Online respondents will be routed past these questions.

Under 16s will not be able to request individual questionnaires.

The overall policy principle, which is in keeping with the results of public acceptability testing, is that no person under 16 should be liable to penalty for non-compliance.

**5. How will the policy/measure contribute to the wellbeing of children and young people in Scotland? Outline how the implementation of the policy/measure will support public bodies in Scotland to meet their duties to safeguard, support and promote the wellbeing of children in their area, with wellbeing defined by eight wellbeing indicators. The indicators are: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible, and Included.**

The data outputs from the census are used in a wide variety of ways which support bodies to meet their duties through the accurate allocation of funding for local and national services and facilities. They tell us about our children's health needs, education, inform provision for sport, leisure and recreation and enable self-

expression. The census strives to maximise the quality of the data by ensuring all people are included, of all ages, including all those children under 16.

The following wellbeing indicators are affected by the identified impacts, particularly the inclusiveness of the census and the rich source of information and data it produces:

#### **Safe**

- Allocation of funding to health and emergency services.
- Quantification of risk factors based on prevalence of health conditions.

#### **Healthy**

- Effective planning and provision of related services, sports/leisure and recreation facilities.

#### **Achieving**

- Effective planning and provision of education services, sports/leisure and recreation facilities.

#### **Nurtured**

- Effective planning and provision of education services, sports/leisure and recreation facilities.
- Enhanced understanding and knowledge of Scotland's people.

#### **Active**

- Effective planning and provision of sports/leisure and recreation facilities.

#### **Respected**

- Enable self-expression and a sense of individuality through inclusion and participation.

#### **Responsible**

- Promote a sense of civic responsibility and duty, freedom of conscience.

#### **Included**

- Promote sense of individuality, belonging and self-expression.

### **6. How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland? This will inform Scottish Ministers' duty to report to Parliament on children's rights under the Children and Young People (Scotland) Act 2014.**

The 2022 census will deliver statistical outputs which comprehensively describe the number and characteristics of the population of Scotland including those of 18 years and under. This generates a wealth of information which informs decisions on resource and funding allocations across a wide range of services key to young people, including: health, education, leisure and recreation and transport. It also helps to inform important research and analysis around poverty, deprivation and equality of opportunity.

In 2022 there will be voluntary questions around sexual orientation and trans status or history. These questions will not be asked of those under 16. In the case of those aged 16 and over, this will provide a richer set of information than previously obtainable from the census, addressing a lack of available data on these topics.

## **7. What evidence have you used to inform your assessment? What does it tell you?**

**The evidence base may include demographic information, academic research, service monitoring/inspection reports, service evaluation reports, user surveys, etc. In particular, look at what existing evidence tells you about children and young people's views and experiences of the relevant service(s); and/or what it tells you about children and young people's views of the policy proposal. Identify any gaps in the evidence base, and set out how you will address these.**

Following a [Topic Consultation](#) in 2015, further engagement and investigation of how to improve the quality of data collected continued, to meet identified user need for Scotland's Census 2022. This engagement focused on outputs and how census data can be more accessible to users. Following a programme of research, stakeholder engagement, and question testing, NRS set out recommendations on all of these topics in the [Plans for Scotland's Census 2021](#), accompanied by the [research](#) findings on question development. Further information on the development of the question set for Scotland's Census 2022 can be found on the [question development](#) page of our website. The [question set](#) for Scotland's Census 2022 has been agreed as appropriate by the Scottish Parliament through the census legislation.

One of the evidence gaps identified through the consultation process was sexual orientation, trans status or history and the lack of reliable existing data about the LGBT community. According to the Scottish Household Survey around 2.1% of all adults self-identified as lesbian, gay or bisexual in 2019. 0.4% of adults preferred not to provide a response to the question, compared to 0.6% in 2014.<sup>4</sup> The relevant sample did not include any under 16s and there was no age breakdown to evidence the proportion of ages 16-18. These reflect significant data gaps. However, NRS will not collect this information from under 16s in the 2022 census.

There is no available evidence to indicate how many young people will potentially take up the option of requesting an individual questionnaire and NRS has not tested new voluntary questions with those under 16. Discussions with stakeholders such as the Equality Network indicated young people may be more likely to need privacy in order to respond honestly.

The over-arching policy principle is that no person under the age of 16 will be liable to penalty for non-completion of a census questionnaire, although if a householder is under 16 they will be under a legal obligation to make a return.

### Stakeholder feedback

In March 2019 views were sought from the Equality Network, Scottish Trans Alliance, LGBT Youth Scotland and Stonewall Scotland around proposed policy relating to age limits for individual questions and the completion of individual census

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<sup>4</sup> [Scottish Household Survey 2019: Annual Report](#)

questionnaires. The stakeholders felt that the age limit on access to individual returns (16 and over) would particularly impact LGBT children aged 13-15, especially if those children had unsupportive parents or guardians.

The stakeholders felt that the minimum age for the sexual orientation question should be 13, in line with young people's evolving capacity. However, this would conflict with the limitation to request an individual form to those aged 16 and over. Stakeholders felt it inappropriate to ask this question of young people without giving them the opportunity to respond individually.

As children of any age may have transitioned or be transitioning to live in a different gender, stakeholders felt there should be a mechanism that allows trans children and young people to be recognised in the trans status or history questions, with parents who recognise their child as trans being able to record this.

Ideally, stakeholders want as many LGBT children and young people to be able to respond to the questions on sexual orientation and trans status or history as possible. They noted that any decision to implement an age filter on these questions should remain under review as circumstances, such as public acceptability, develop.

For LGBT young people, a lower age limit would allow for data that can be used for health and education purposes.

Stakeholders also felt that if the sexual orientation question age limit were 13, it would be important that this age limit was also reflected in who could complete an individual questionnaire. This would ensure that LGB young people with unsupportive parents or guardians could respond on their own behalf to this question.

Stakeholders made a number of other useful recommendations around language for the questions guidance for 2022.

#### Public acceptability testing of voluntary questions on sexual orientation and trans status or history

Research<sup>5</sup> during the question development process found a sexual orientation question (asked of those aged 16 years and over) was generally acceptable to the public and that the majority of respondents would provide a valid response. Overall, 14% of participants said they would not answer a sexual orientation question if it was included in the 2022 census. The majority of these (13% of all participants) said they would skip the question and continue completing the rest of the form. Only a very small proportion of participants said that they would request an individual form (less than 1%) or stop completing the census altogether.

In the context of completing the census on behalf of another household member, the proportion who found the question not acceptable increased to 20%. Similarly, just over one in five people (21%) indicated that they were not comfortable with providing this information on behalf of others.

Testing of the questions showed almost all participants provided a valid response to the question on sexual orientation. Of those who did not provide a response to the

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<sup>5</sup>[Scotland's Census 2022 Sexual Orientation Topic Report](#)

sexual orientation question, the majority were aged 65 or over (59%). Less than 1% of participants provided an invalid response to the question. The question was voluntary and, as such, 9% of participants chose not to provide an answer.

NRS tested a trans status or history question, alongside the sex question to replicate responses as they would be perceived in the census itself<sup>6</sup>. Testing found the trans status question was acceptable to members of the trans and non-binary community and to the general population, and produced good quality data.

Respondents were able to answer the question on trans status with ease on behalf of themselves - around 94% of respondents provided a valid response to the question on trans status. Respondents indicated they were comfortable answering on behalf of another member of their household if they had their permission to do this. Respondents indicated that the question on trans status should be asked of everybody filling in the census regardless of age.

Some concerns have been expressed during the question development process about confidentiality in relation to sensitive questions, particularly for young people who may feel unable to answer the question if they still live at home with their families. Missing this group would be an issue as young trans people have specific service needs.

#### **8. Have you consulted with relevant stakeholders? This would include public or targeted consultations with children and young people, their parents/carers and the children's workforce.**

Those aspects of Scotland's Census 2022 which are of most significance to children and young people are: age-related limitations on response required to certain questions, the availability of individual questionnaires and new voluntary questions on sexual orientation and trans status or history. Engagement has been undertaken with a range of individual stakeholders and stakeholder organisations who represent the interests of children, but direct engagement with children and young people themselves has been limited due to statutory and policy constraints.

In 2022, we need to make sure that the census only collects the information that we need from the people of Scotland and we want to make sure that the questionnaire is easy to complete and takes as little time as possible. Testing has also shown that some questions are less acceptable when they are asked about people under the age of 16 years.<sup>7</sup> With this in mind there will be some age routing in the questionnaire. This means, for example, that the person completing the form will not be asked how well a two year old can read English or where a 6 month old baby lived a year ago.

Extensive engagement and consultation with youth forums and organisations around the impacts highlighted in this report is planned to continue. NRS will seek to broaden and enhance our understanding of perceived impacts and anticipated experience amongst younger people.

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<sup>6</sup> [Scotland's Census 2022 Sex and Gender Identity Topic Report](#)

<sup>7</sup> Scotland's Census 2022 Sex and Gender Identity Topic Report

NRS undertook a period of consultation throughout September 2019 for each of the Impact Assessments accompanying the Census Order. Impact Assessments have been updated to reflect feedback where appropriate. A report on the consultation can be found [here](#).

**9. Have you involved children and young people in the development of the policy/measure? Is there enough information on the views of the children and young people who will be affected by the policy/measure that enables you to make an informed assessment of impact?**

NRS has committed to further engagement. Appropriate audiences will be identified in collaboration with policy colleagues and suppliers. In particular there are plans to engage more directly with young people to provide valuable insight to inform policy decisions.

NRS has engaged with stakeholders regarding age-routing in the census questionnaire.



## **CRWIA Stage 3 – publication template**

### **1. CRWIA title**

Scotland's Census 2022.

### **2. Publication date**

December 2021.

### **3. Executive summary**

Scotland's Census 2022 is the official count of every person and household in Scotland. It is a unique survey in that it affects the whole of Scotland's population and there is a legal requirement to participate. This Children's Rights and Wellbeing Impact Assessment (CRWIA) presents evidence on the most significant potential impacts of the plans for Scotland's Census 2022.

Scotland is a diverse nation and stakeholders representing a range of interests have been fundamental to shaping Scotland's Census 2022. In preparing this CRWIA we have gathered evidence from a wide range of sources and reflected on our own and others' experience of previous censuses. In 2019 NRS held a series of stakeholder feedback sessions and conducted an online stakeholder survey to obtain feedback on the draft assessments. A report on the outcome of this period of consultation is published on the [Scotland's Census website](#).

The impact assessments for Scotland's Census 2022 make use of the data produced by the Scottish Household Survey. The 2020 survey results have been delayed due to the impact of the Covid-19 pandemic and as such this assessment makes references to the 2019 survey results.

This document is one of eight impact assessments prepared for Scotland's Census 2022. Others include:

- Human Rights Impact Assessment
- Equality Impact Assessment
- Data Protection Impact Assessment
- Island Communities Impact Assessment
- Fairer Scotland Duty Impact Assessment
- Strategic Environmental Assessment
- Business Regulatory Impact Assessment.

Assessing the impact of Scotland's Census 2022 is an ongoing process, which will continue up to Census Day on 20th March 2022 and beyond.

### **4. Background**

The census is the official count of every person and household in Scotland. It is usually held every 10 years and provides the most complete statistical picture of the nation available. It also provides information that central and local governments need, in order to develop policies and to plan, fund and run public services.

Scotland's census is taken by the [National Records of Scotland](#) on behalf of the Registrar General for Scotland. The National Records of Scotland (NRS) is a non-ministerial department of the Scottish Administration, established on 1 April 2011, following the merger of the General Register Office for Scotland (GROS) and the National Archives of Scotland (NAS).

The main purpose of NRS is to collect, preserve and produce information about Scotland's people and history and make it available to inform current and future generations. It holds records of the census of the population of Scotland from 1841 and every 10 years after that. The one exception to date was the wartime year of 1941 when no census was taken. Census records are closed for 100 years under the Freedom of Information (Scotland) Act 2002.

For over 200 years, Scotland has relied on the census to underpin local and national decision making. Around 200 countries worldwide now undertake a regular census under the [UN census programme](#). The census is the only survey to ask everyone in Scotland the same questions at the same time. It is unique in the provision of comprehensive population statistics. It is used by central and local governments, health boards, the education sector, the private sector, and the voluntary sector to plan and distribute resources that match people's needs. The information collected must be "authoritative, accurate and comparable" for all parts of Scotland, and down to very small levels of geography. Only the census can consistently provide such information.

Basic information on population size, age, sex and location are crucial to work on pensions, migration, economic growth and labour supply. Other information gathered helps governments to:

- identify housing demand and create housing supply including information on household size and family make-up which are crucial to policies on local housing demand and planning, and poor housing and overcrowding
- identify areas of deprivation, enabling them to target services
- gather data on equality groups, enabling them to tackle discrimination
- gather information on housing.

Census information is also used for a range of social and economic indicators:

- population estimates
- employment and unemployment rates
- birth, death, mortality, and fertility rates
- equalities data, such as age, sex, ethnicity, religion/belief and disability.

Census data are also used by local public services to meet local needs in health, education, transport, planning, and community care services.

Following the 2011 census, NRS, in conjunction with the other UK census offices, explored alternative ways to produce population statistics. NRS identified potential options and examined and compared various approaches to counting the population, both here and overseas, engaged with a diverse group of users, commentators and public bodies, and undertook qualitative and quantitative research into attitudes to the census and population statistics. More information on the work which was done can be found in the [Beyond 2011](#) section of the NRS website.

Having considered all the [evidence](#), in March 2014, NRS recommended that a modernised 'traditional' census was the best way to meet users' needs. Specifically, NRS announced its intention to focus on planning for a census in 2021, which will be primarily online, while offering alternative modes of completion where necessary, and also aiming to make best use of technology and administrative data in its design, building on the online approach used successfully in the 2011 census.

The main objectives of Scotland's Census 2022 are to:

- produce high-quality results;
- generate outputs that meet the needs of our users;
- maximise online response rates for the census;
- produce timely outputs to maximise benefits;
- protect, and be seen to protect, confidential information;
- do so in a cost effective way; and
- make recommendations for the approach to future censuses in Scotland.

The census is for, and about, everyone in Scotland. In conducting it, an objective is to collect data about everyone in Scotland and, by definition, that includes all people who hold any of the protected equality characteristics. Designs therefore have to take account of the diverse needs of all people, firstly to enable their legal obligation to participate in the census and secondly to enable their access to the anonymised statistical outputs derived from the data collected from them, which in turn enable them to reap the benefits realised.

The numerous uses made of census data outlined above represent a key benefit and a positive impact of the census which is shared by all.

This assessment is one of a suite of Scotland's Census 2022 impact assessments exploring a wide range of programme aspects and anticipated impacts, including Equality Impact Assessment, Human Rights Impact Assessment, Fairer Scotland Duty Impact Assessment and Data Protection Impact Assessment.

Scotland's Census 2022 programme has a long lifecycle and assessments will be refreshed and updated as it moves through its different phases and milestones.

## **5. Scope**

As the census is the official count of every person and household in Scotland, the scope for this assessment is children and young people under the age of 18 usually resident in Scotland at the time of the census (March 2022).

## **6. Children and young people's views and experiences**

According to the Scottish Household Survey 2019 around 2.1% of all adults self-identified as lesbian, gay or bisexual in 2019. 0.4% of adults preferred not to provide a response to the question, compared to 0.6% in 2014.<sup>8</sup> The relevant sample did not include any under 16s and there was no age breakdown to evidence the proportion of age 16-18. These represent significant data gaps and the census is well-placed to

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<sup>8</sup> [Scottish Household Survey 2019: Annual Report](#)

address those gaps to some extent. Age limitations will however impact on the quality of data collected in 2022.

There is no available evidence to indicate how many young people will potentially take up the option of requesting an individual questionnaire, and NRS has not tested potential questions with those under 16. Discussions with stakeholders such as the Equality Network indicated young people may be more likely to need privacy in order to respond honestly. NRS have given careful consideration to which age groups questions will apply to.

The over-arching policy principle is that no person under the age of 16 will be liable to penalty for non-completion of a census questionnaire, although if a householder is under 16 they will be under a legal obligation to make a return.

The new questions on sexual orientation and trans status or history will be voluntary following the passage of the Census (Amendment) (Scotland) Act 2019.

Some concerns have been expressed during the question development process about confidentiality in relation to sensitive questions, particularly for young people who may feel unable to answer the question if they still live at home with their families. Missing this group would be an issue as young trans people have specific service needs.

In March 2019 views were sought from the Equality Network, Scottish Trans Alliance, LGBT Youth Scotland and Stonewall Scotland around proposed policy relating to age limits for individual questions and the completion of individual census questionnaires.

The stakeholders felt that the minimum age for the sexual orientation question should be 13, in line with young people's evolving capacity. For young people, particularly those aged 13 – 15, an age limit of 16 years will prevent them from completing a census questionnaire on their own behalf. This may particularly impact young LGBT people with unsupportive parents, who will have to rely on them to complete the questions on sexual orientation and trans status or history.

For LGBT young people, a lower age allows for data that can be used for health and education purposes.

Stakeholders also felt that if the sexual orientation question age limit was 13+, it would be important that this age limit was also reflected in who could complete an individual questionnaire.

Stakeholders made a number of other useful recommendations around language for the questions guidance for 2022.

NRS undertook a period of consultation throughout September 2019 for each of the Impact Assessments accompanying the Census Order. Impact Assessments have been updated to reflect feedback where appropriate. A report on the consultation can be found [here](#).

## 7. Key Findings

The assessment has identified impacts around benefits of the census, questions of a sensitive nature, privacy, education, age limitations and householders' legal obligations.

Those rights which are anticipated to be most impacted concern freedom of expression (Article 13 of the UNCRC), freedom of thought, conscience and religion (Article 14), and privacy (Article 16).

### Benefits of the census

In respect of children and young people, the census delivers a wide range of benefits by accurately informing resource allocation for vital public services like education and health.

### Sensitive questions

The Census Act 1920 requires responses to all census questions to be mandatory, with exception of the questions on religion and the new questions on sexual orientation and trans status or history. In recognition of the sensitive and personal nature of these questions, these new questions will be asked on a voluntary basis, in the same way as the question on religion.

The question on religion was introduced in the 2001 census, and its inclusion was allowed on the basis that responses were voluntary.

The religion question will be asked of all age groups on a voluntary basis for 2022. This balances lawful interference with the right to privacy under Article 16 of UNCRC and positively supports article 14 on the right to freedom of thought, conscience and religion.

For these voluntary questions, there has been consideration of which age groups to ask the questions. In terms of young respondents, there may be an impact on the ability to respond honestly to sensitive questions as young people are more likely to be living with parents or guardians. They are also more likely to have other adults responding on their behalf.

For these young people who may want to respond on their own behalf, whether or not the householder has responded by proxy, there will be the facility to request and complete an individual form, and to answer honestly, in private, without other household members being aware. This option will be available to all individuals of 16 years and over. This may be a preference for younger people between the ages of 16 and 18 as they may be more likely to have others respond on their behalf.

NRS has not tested potential questions with those under 16. Discussions with stakeholders such as the Equality Network indicated young people may be more likely to need privacy in order to respond honestly. NRS have given careful consideration to which age groups questions will apply to.

For the online questionnaire the response used to the date of birth question will be used to calculate a person's age and which questions will be relevant to them, so they will not need to respond to questions that are not relevant to them. On the paper

questionnaire we will provide guidance about which questions should be answered by people of particular ages.

The following age-limitations will apply:

**Questions asked of people aged 16 or over:**

- The new voluntary question on trans status or history
- The new voluntary question on sexual orientation
- The new question on ex-service status
- The question on legal marital and civil partnership status
- The qualifications held question
- The questions on employment and activity last week

**Questions asked of people aged 4 and over:**

- The question on whether you are a school child or full-time student
- The questions on travel to place of work or study

**Questions asked of people aged 3 and over:**

- All of the language questions
- The question on provision of unpaid care

**Questions asked of people aged 1 and over:**

- The question on address 1 year ago

All other individual questions will be asked of everyone usually resident in households or communal establishments.

NRS believes that the proposal to offer young people between the ages of 16-18 the opportunity to privately answer these questions in the 2022 census will have a significant positive impact. This has particular regard to the rights enshrined in Article 13 ('Right to freedom of expression'), by enabling some to identify in a way which may be of the utmost importance to them. Making such questions voluntary supports Article 16 ('Right to privacy') of the UNCRC.

Conversely, the denial of that opportunity to those under 16 years whose emotional or physical development is such as to foster such feelings may have a negative impact, but may encourage young people to have the necessary conversations with parents and guardians.

The issue of legal responsibility will impact some age groups differently. Householders of all ages will be responsible for completion on behalf of their household. Those who are 16–18 residing in communal establishments will be responsible for completing an individual questionnaire if they are capable of doing so. These responsibilities will incur the threat of penalty for non-compliance. Those aged 16 years and over who request a household individual census questionnaire are under a legal obligation to complete and return it.

LGBT people aged 16 years and over may welcome the new opportunity to identify their sexual orientation or gender identity but this may also carry privacy implications or concerns around risks of data disclosure, or around honesty in provision of accurate information to householders.

LGBT people under 16 will not have the opportunity to express their self-identification in this way and this could represent a negative impact when compared to those aged 16 and over.

### Householders' legal obligations

The legal requirement for completion of Scotland's census falls to the householder. In Scotland's Census 2011 less than 2,500 persons under the age of 18 identified as householders.

### Age limitations

Young people under 16 years are only asked questions relevant to them – for example, they are routed past labour market questions.

Those under 16 will not be required to answer questions about trans status or history and sexual orientation (recognising they are voluntary for everyone but will come with an age requirement for those that wish to answer), as well as qualifications held or ex-service status and employment.

### Education

NRS has established a census education programme in schools for 2022, building on the success of a similar initiative from census 2011. Children are recognised as valuable advocates for the census, discussing their work at home with their parents, prompting interest, raising awareness and encouraging participation.

The census is already included in the curriculum for Geography, focusing on the process of the census as well as the results. Citizenship, and the virtue of being a responsible citizen, is one of the four key themes of the Curriculum for Excellence. The census relates to this in terms of the requirement to complete the census.

### Privacy

Interference with Article 16 (the right to privacy) is lawful because there is legal authority under the Census Act 1920.

### Wellbeing indicators

The following wellbeing indicators are affected by the identified impacts, particularly the inclusiveness of the census and the rich source of information and data it produces:

#### **Safe**

- Allocation of funding to health and emergency services.
- Quantification of risk factors based on prevalence of health conditions.

#### **Healthy**

- Effective planning and provision of related services, sports/leisure and recreation facilities.



**Achieving**

- Effective planning and provision of education services, sports/leisure and recreation facilities.

**Nurtured**

- Effective planning and provision of education services, sports/leisure and recreation facilities.
- Enhanced understanding and knowledge of Scotland's people.

**Active**

- Effective planning and provision of sports/leisure and recreation facilities.

**Respected**

- Enable self-expression and a sense of individuality through inclusion and participation.

**Responsible**


- Promote a sense of civic responsibility and duty, freedom of conscience.

**Included**

- Promote sense of individuality, belonging and self-expression.

**8. Monitoring and review**

Final decisions on the conduct of Scotland's Census 2022 have been made by the Scottish Parliament through secondary legislation – the Census Order and Regulations. Amendment legislation was laid in 2020 to move the date of Scotland's census to 2022. The 2019 census rehearsal, which tested a wide range of operational aspects of the census, helped to inform plans. Responses to the questions as well as stakeholder feedback and evaluation processes will help to inform the final operational approach for 2022. This impact assessment and others will be refreshed and updated to reflect further developments going forward towards 2022.

<b>CRWIA Declaration</b>	
<b>Authorisation</b>	
  Paul Lowe Registrar General	          <b>Date</b> <b>December 2021</b>